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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,300	02/13/2004	Stephen B. Powers	MS306158.1/MSFTP563US	7437
27195	7590	12/01/2006	EXAMINER	
AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			DU, THUAN N	
			ART UNIT	PAPER NUMBER
			2116	

DATE MAILED: 12/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/779,300

Applicant(s)

POWERS ET AL.

Examiner

Thuan N. Du

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/4/04, 10/17/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-27 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, 7-9, 11, 13-16, 19-23 and 25-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Cabler, U.S. Pub. No. 20020099966.
4. Regarding claim 1, Cabler teaches 1 a system that facilitates state machine power management, comprising:
 - a state management component (module 22) that receives at least one signal that is directed to a state machine (circuit 10, i.e. modem) [Fig. 1; lines 1-5 of para. 0013]; and
 - a coprocessor (module 24) that responds to the signal in order to provide a timely response to the signal and facilitate state machine power management [Fig. 1; lines 1-9 of para. 0018].
5. Regarding claim 2, Cabler teaches that the state machine employs the state management component to receive the signal when the state machine transitions from a high power state to a lower power state [lines 1-2 of para. 0017].

6. Regarding claim 3, Cabler teaches that the lower power state comprises one of a standby state, a suspend state, a hibernate state, a sleep state, a deep sleep state, and an off state [para. 0016].
7. Regarding claim 4, Cabler teaches that the system comprises an analysis component that interprets the signal [lines 6-12 of para. 0017].
8. Regarding claim 5, Cabler teaches that the system comprises a decision component that determines whether the coprocessor should respond to the signal (if the received signal is one of known set of characteristics, module 24 responds to the signal, i.e. waking up circuit 10, if the received signal is not one of known set of characteristics, module 24 does not respond to the signal) [lines 9-16 of para 0013; lines 1-9 of para. 0018].
9. Regarding claim 7, Cabler teaches that the system consumes less power when the coprocessor responds to the signal [lines 5-7 of para. 0013].
10. Regarding claim 8, Cabler teaches that the state component is employed to manage wake states for a plurality of state machines (circuitries) [para. 0021].
11. Regarding claim 9, Cabler teaches that the system comprises an intelligence component that facilitates at least one of interpreting the signal and distributing the signal for processing [lines 9-16].
12. Regarding claim 11, Cabler teaches that the signal is transmitted over one of a network, a backplane, and a bus [line 4 of para. 0013].
13. Regarding claims 13-16, 19-23 and 25-27, they do not teach or further define over the limitations recited in the rejected claims above. Therefore, claims 13-16, 19-23 and 25-27 are also anticipated by Cabler for the same reasons set forth in the rejected claims above.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 6, 10, 12, 17, 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cabler, U.S. Pub. No. 20020099966.

16. Regarding claim 6, Cabler does not explicitly teach that the state management component is activated by the state machine requesting services of the state management component and the state management component detecting the state machine transitioned to the lower power state. However, Cabler teaches that the module 22 is operated while the circuit 10 is in idle state. Therefore, one of ordinary skill in the art would have recognized that the state management component (module 22) would obviously detect the transitioning to the idle state of the circuit 10 to activate the module 22.

17. Regarding claims 10, 12, 17, 18 and 24, claims 10, 12, 17, 18 and 24 are directed to apparatuses implementing the power managing system of claims 1, 13 and 20. As stated above, Cabler teaches the invention substantially as set forth in claims 1, 13 and 20. At the time of the invention, one of ordinary skill in the art would have readily recognized that Cabler may also teach the implementations of claims 1, 13 and 20 as set forth in claims 10, 12, 17, 18 and 24. As such, claims 10, 12, 17, 18 and 24 are rejected under same rationale with respect to claims 1, 13 and 20.

Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (571) 272-3673. The examiner can normally be reached on Monday-Friday: 9:30 AM - 6:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached at (571) 272-3676.

Central TC telephone number is (571) 272-2100.

The fax number for the organization is (571) 273-8300.

19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

TD
November 24, 2006



THUAN N. DU
PRIMARY EXAMINER